



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Phil Murphy
Governor
Sheila Oliver
Lt. Governor

Deirdré L. Webster Cobb
Chairperson

**MINUTES OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
JUNE 20, 2018**

**Deirdré L. Webster Cobb, Chairperson
Dolores Gorczyca
Daniel W. O'Mullan**

June 20, 2018

A regular meeting of the Civil Service Commission was held on Tuesday, June 20, 2018, in Trenton, New Jersey.

PRESENT: Deirdré L. Webster Cobb, Chairperson, Members Dolores Gorczyca and Daniel W. O'Mullan; Pamela Ullman, Deputy Attorney General; Christopher Myers, Director, Division of Appeals and Regulatory Affairs.

In accordance with L.1975, c.231, the Secretary to the Civil Service Commission opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trentonian, Trenton Times, Courier-Post and Star Ledger on November 17, 2017, and posted at the Civil Service Commission, 3 Station Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

WITHDRAWAL OF APPEALS

The following appeals were withdrawn and removed from the hearing calendar:

Carol Anne Avella Langford, Program Specialist Alcohol Abuse Activities, Bergen County, Department of Health, six month suspension.

Jennifer Cahill, Human Services Specialist 2, Camden County, Board of Social Services, removal.

Christopher Carroll, Hospital Attendant, Hudson County, Department of Health and Human Services, Meadowview Psychiatric Hospital, 90 working day suspension.

Donald Cicchetti, Boiler Operator, Jersey City School District, 90 working day suspension.

Stephen Jankowski, Police Officer, City of Sea Isle City, Police Department, 15 working day suspension.

Amelia Lilly, Public Safety Telecommunicator, Atlantic City, Department of Public Safety, 10 working day suspension.

Noe Perez, County Police Officer, Camden County Police Department, removal.

Kimberly Thurston, Judiciary Clerk 3, Middlesex Vicinage, Judiciary, release at the end of the working test period.

ACTION: The Civil Service Commission noted the withdrawal of appeals without prejudice.

DISMISSAL FOR FAILURE TO APPEAR

The Civil Service Commission dismissed the following cases without prejudice for failure to appear at the scheduled hearing before the Office of Administrative Law:

Jason Rivera, Laborer 1, City of Paterson, Department of Public Works, removal.

ACTION: The Civil Service Commission noted the dismissal of appeals without prejudice.

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

Thomas Bogan
Woodbine Developmental Center
Department of Human Services
Removals (five)

Latoya Daniels
City of Newark
Department of Public Safety
Suspension

ACTION: The Civil Service Commission directed that this matter be held over.

Janis Reddick and Sharonda Carraway-Garnes
Newark School District
Removal

Beata Wolska
Hunterdon Developmental Center
Department of Human Services
Resignation not in good standing

RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT

ACTION: The Civil Service Commission acknowledged the settlements.

A-2 FREDERICK BENDER

Frederick Bender, Police Officer, City of Trenton, 90 working day suspension on charges of conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge - Reverse the 90 working day suspension.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-3 CHRISTOPHER HINES

Christopher Hines, Human Services Assistant, Woodbine Developmental Center, Department of Human Services, resignation not in good standing effective June 9, 2015 on charges of job abandonment.

Recommendation of the Administrative Law Judge – Grant the appointing authority’s motion for summary decision and uphold the resignation not in good standing.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-4 JASEN MITCHELL

Jasen Mitchell, Emergency Medical Technician, Borough of Wildwood Crest, Department of Public Safety, removal and resignation not in good standing effective June 1, 2012 on charges of job abandonment.

Recommendation of the Administrative Law Judge - Uphold the removal and resignation not in good standing.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-5 MICHAEL POLIZZI

Michael Polizzi, Fire Fighter, City of Passaic, Department of Public Safety, 44 working day suspension (24-hour days) on charges of chronic or excessive absenteeism, conduct unbecoming a public employee, neglect or duty and other sufficient cause.

Recommendation of the Administrative Law Judge – Modify the 44 working day suspension (24-hour days) to a 32 working day suspension (24-hour days).

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-6 MARIELA RIVERA

Mariela Rivera, County Correction Officer, Essex County, Department of Corrections, removal effective January 4, 2018 on charges of conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION: The Civil Service Commission affirmed the recommendation of the Administrative Law Judge.

A-7 SETTLEMENT

Olumide Sanyaolu
Ancora Psychiatric Hospital
Department of Health
Removal

ACTION: The Civil Service Commission acknowledged the settlement.

SECTION B – MISCELLANEOUS MATTERS

B-1 T.Q.B. – CSC DOCKET NO. – CSC DOCKET NO. 2017-1565

T.Q.B., represented by Bette R. Grayson, Esq., appeals his rejection as a Fire Fighter candidate by the City of Newark and its request to remove his name from the eligible list for Fire Fighter (M2554M) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-2 A.F. – CSC DOCKET NO. 2017-98

A.F., represented by Corey M. Sargeant, Esq., appeals his rejection as a County Correction Officer candidate by Camden County and its request to remove his name from the eligible list for County Correction Officer (S9999R) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-3 C.A.O. – CSC DOCKET NO. 2017-2071

C.A.O., represented by Michael L. Prigoff, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988T) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-4 A.P. – CSC DOCKET NO. 2017-2496

A.P., represented by Michael L. Prigoff, Esq., appeals her rejection as a Fire Fighter candidate by Jersey City and its request to remove her name from the eligible list for Fire Fighter (M1544T) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-5 K.W. – CSC DOCKET NO. 2017-2918

K.W., represented by Robert K. Chewning, Esq., appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988T) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-6 JOSE ARIAS, JR. – CSC DOCKET NO. 2017-3855

Jose Arias, Jr., represented by Daniel J. Zirrith, appeals the appointing authority's request to remove his name from the eligible list for Sheriff's Officer (S9999R), Union County, on the basis of falsification of his employment application.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-7 G.T. – CSC DOCKET NO. 2018-569

G.T. appeals his removal from the Police Officer (S9999U), Borough of Roselle eligible list on the basis of an unsatisfactory criminal background.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-8 MONA GIOE – CSC DOCKET NO. 2018-627

Mona Gioe appeals her removal from the Police Officer (S9999U), Berkeley Township eligible list on the basis of an unsatisfactory driving record.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-9 LORENZO SHOCKLEY, JR. – CSC DOCKET NO. 2018-1648

Lorenzo Shockley, Jr. appeals his removal from the eligible list for County Police Officer (S9999U), Camden County on the basis that he possessed an unsatisfactory driving history, employment record, criminal record and background report.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-10 JILLIAN ITRI – CSC DOCKET NO. 2018-1154

Jillian Itri appeals the decision of the Division of Agency Services which found that her position with Rowan University was correctly classified as an Assistant Supervisor 4, Administrative Service. The appellant seeks an Assistant Supervisor 3, Administrative Services job classification.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-11 VICTOR ALVAREZ AND PIERO ODDO – CSC DOCKET NOS. 2018-2863 AND 2018-2871

Victor Alvarez and Piero Oddo appeal the decisions of the Division of Agency Services that they do not meet the experience requirements for the promotional examination for Road Repairer 3 (PM2255V), Elizabeth.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-12 RAQUEL INCE – CSC DOCKET NO. - CSC DOCKET NO. 2018-3025

Raquel Ince appeals the determination of the Division of Agency Services which found that she did not meet the experience requirements for the promotional examination for Assistant Superintendent of Recreation (PM2573V), Ewing Township.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-13 ROBERT JACK – CSC DOCKET NO. 2018-3070

Robert Jack appeals the determination of the Division of Agency Services that he was below the minimum requirements in experience for the promotional examination for Rehabilitation Counselor, Mental Health (PS3727H), Department of Health.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-14 RONALD JOHNSON – CSC DOCKET NO. 2018-2864

Ronald Johnson appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements for the promotional examination for Supervising Maintenance Repairer (PM2281V), Newark.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's position undergo a classification review.

B-15 DREW PANGALDI – CSC DOCKET NO. 2018-2139

Drew Pangaldi appeals the determination of the Division of Agency Services that he did not meet the experience requirements for the qualifying examination for Construction Management Specialist 3, Department of Corrections.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-16 ALISA ROSA – CSC DOCKET NO. 2018-2923

Alisa Rosa appeals the determination of the Division of Agency Services that she did not meet the experience requirement for the promotional examination for Habilitation Plan Coordinator (PS3759K), Department of Human Services.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-17 MANAGER, PUBLIC PROPERTY (M0478T), MILLVILLE – CSC DOCKET NO. 2018-2955

The City of Millville requests permission not to make an appointment from the October 28, 2015 certification for Manager, Public Property (M0478T).

ACTION: The Civil Service Commission granted the appointment waiver and assessed selection costs in the amount of \$2,048.

B-18 JEFFREY RAFALSKI – CSC DOCKET NO. 2018-3304

The Division of Agency Services requests that Jeffrey Rafalski be provided a retroactive appointment as a Senior Public Works Repairer with Vernon Township, effective November 7, 2016.

ACTION: The Civil Service Commission directed that this request be granted.

B-19 JOSEPH GRAF – CSC DOCKET NO. 2018-3283

The Department of Corrections requests that the Civil Service Commission relax and extend the time period set forth in *N.J.A.C. 4A:6-1.10(a)1* and grant a leave of absence without pay for Joseph Graf, Correction Officer Recruit to February 19, 2019.

ACTION: The Civil Service Commission directed that this request be granted.

B-20 A.Z. – CSC DOCKET NO. 2018-2348

A.Z., a County Services Specialist with the Department of Children and Families, appeals the determination of the Director, Office of Administration, Department of Children and Families, which found that the appellant failed to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-21 RADEE SANDERS – CSC DOCKET NO. 2018-2883

Radee Sanders appeals the removal of his name from the Police Officer (S9999U), Linden, eligible list due to an unsatisfactory driving record.

ACTION: The Civil Service Commission directed that this appeal be denied.

B-22 ENID MITCHELL – CSC DOCKET NO. 2018-3103

The Division of Agency Services requests that Enid Mitchell be provided a retroactive appointment as a Clerk 1 with Passaic County, effective July 30, 2008.

ACTION: The Civil Service Commission directed that this request be granted.

B-23 MICHAEL CHASE – CSC DOCKET NO. 2018-3278

The Superior Court of New Jersey, Appellate Division, has remanded the matter of Michael Chase's request for interim relief to allow the parties to submit additional information for the Civil Service Commission to consider.

ACTION: The Civil Service Commission reaffirmed its previous decision.

B-24 JEREMY ROBERTSON-MARKS – CSC DOCKET NO. 2018-3220

Jeremy Robertson-Marks appeals the decision of the Division of Agency Services which found that he did not meet the experience requirements per the substitution clause for education for the promotional examination for Mechanic (PM2513V), Middletown Township.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-25 JOSEPH PENEVOLPE – CSC DOCKET NO. 2018-3251

Joseph Penevolpe appeals the decision of the Division of Agency Services which found that he lacked the required license for the examination for Construction Official (C0654U), Lavallette.

ACTION: The Civil Service Commission directed that this appeal be granted.

B-26 BRIAN MURRAY AND HILLARY MURTHA

Brian Murray and Hillary Murtha appeal the validity of the open-competitive examination for Resource Interpretive Specialist 1, Historic Resources (S0416V), Statewide.

ACTION: The Civil Service Commission directed that these appeals be denied.

B-27 JOHN TAYLOR – CSC DOCKET NO. 2018-3167

John Taylor appeals his score for the oral portion of the promotional examination for Police Captain (PM0643V), Town of Kearny.

ACTION: The Civil Service Commission directed that this appeal be denied and the appellant's score for the oral communication component of the examination be reduced from 4.5 to 4.

B-28 JAMES FRANK – CSC DOCKET NO. 2018-3107

James Frank appeals the decision of the Division of Agency Services which found that his position with the Department of Corrections is correctly classified as a Food Service Supervisor 2. The appellant seeks a Program Specialist 3 job classification.

ACTION: The Civil Service Commission directed that this appeal be denied and the position be classified as an Administrative Analyst 3.

B-29 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of June 6, 2018.

ACTION: The Civil Service Commission adopted the minutes of its meeting on June 6, 2018.

B-30 WILLIAM SHORTER - CSC DOCKET NO. 2018-1384

The appeal of William Shorter, a Correction Sergeant with South Woods State Prison, Department of Corrections, of his removal effective October 3, 2017, on charges, was heard by Administrative Law Judge Catherine A. Tuohy (ALJ), who rendered her initial decision on May 8, 2018. At its meeting on June 6, 2018, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation to uphold the removal. Rather, the Commission modified the removal to a 120-calendar day suspension. The proposed decision is now submitted for the Commission's review.

ACTION: The Civil Service Commission adopted the decision.

B-31 JERSEY CITY POLICE PROMOTIONAL APPOINTMENTS – CSC DOCKET NO. 2018-3409

The City of Jersey City (Jersey City) and various parties impacted by Jersey City's recording of promotional appointments petition the Civil Service Commission for review and relief: 1) Jersey City requests the revival of the promotional list for Police Sergeant (PM5120N), Jersey City; 2) Jersey City requests retroactive regular appointments for various employees to the titles of Deputy Police Chief, Police Captain, Police Lieutenant, and Police Sergeant; 3) David Goldrich and Jay White request to file late applications for the promotional examination for the promotional examination for Deputy Police Chief (PM0511W), Jersey City; 4) Jersey City, James Carroll and Ilias Voutsas appeal the decision of the Division of Agency Services denying Jersey City's request to amend the eligibility requirement for the promotional examination for Deputy Police Chief (PM0511W) to reduce the time-in grade requirement to completion of the working test period.

ACTION: The Civil Service Commission directed that this petition be granted.

PUBLIC PORTION

No comment.

There being no further business before the Civil Service Commission, the meeting was adjourned to convene on Wednesday, July 18, 2018, at 10:00 a.m., at 3 Station Plaza, Trenton, New Jersey.

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission